

Memorandum

To: OJP Science Advisory Board

Regarding: Response to Report from the OJP SAB Subcommittee on Quality and Protection of Science

The Office of Justice Programs would like to thank the Science Advisory Board Subcommittee on Quality and Protection of Science for its excellent report. We appreciate the careful thought that has clearly gone into creating such a report. The following represents OJP leadership's general comments. We look forward to a more thorough discussion about the report at the June 21st meeting.

One general response is to clarify for the SAB Subcommittee that while some of these recommendations to the AAG for OJP may be adopted by OJP's reformation of certain administrative, management, or program practices, other recommendations are beyond the scope of authority for the OJP to implement and will require either the creation or amendment of federal statutes. Such recommendations will be viewed as recommendations for discussion with the Attorney General and others concerning the appropriateness of submission of legislative changes for congressional action.

An additional suggestion is that the report should be as specific as possible in describing the scope of its recommendations. For instance, we presume (but cannot be certain) that the recommendation that "all directors should have fixed terms" is a reference only to NIJ and BJS. Similarly, the recommendation to "increase the rigor of agenda setting within and among all agencies under OJP" is not specific enough to act upon without further explanation of the ends to be achieved, or a clearer delineation of those offices which the SAB believes should be affected.

Minor clarification also would be useful regarding the recommendations regarding factors to be considered in funding decisions. In section 2E, the report states that "decisions regarding funding should be based solely on the expertise of the PI, quality of the methodology proposed, and the potential value of research to the field." (emphasis added) In section 3C, the report states that "a review of past work should normally be part of the funding decision." In context, it appears that both of these recommendations are equally important, yet they appear slightly contradictory. Any effort to consider implementation of both recommendations would be difficult. Perhaps these recommendations might be clarified or combined.

Last, as the AAG for OJP, I recognize that the recommendations will be reviewed through the lens of OJP policymakers, taking into consideration budget constraints and agency priorities. OJP entirely agrees that, in making funding decisions, the quality of the research to be funded is of critical importance, but to recommend that "the allocation of research grants should be based solely on the quality of the research" ignores critical factors such as the cost of the

research, whether that research would be duplicative of current efforts, the funding available to the agency, agency priorities, and agency staff resources, to name a few. Adoption of the recommendations may be easier to achieve if they are presented in a manner that takes into account more fully OJP's various considerations.

Soliciting Candidates for NIJ and BJS Directors

The subcommittee states that candidates should be solicited from professional criminal justice organizations such as ASC. We agree that these science organizations may be valuable resources for identifying potential candidates. We wonder whether the subcommittee sees a role for the Science Advisory Board in identifying candidates. In doing so, however, we note that the SAB as an entity is prohibited from engaging in lobbying activity in general; however, individuals are not so prohibited, as long as they are acting solely in their capacity as a private citizen.

Participation of the Scientific Community in Framing Research Agendas

We are interested in how the subcommittee views our current work to incorporate the input from the research community and others into our planning processes, using strategic planning meetings, topical working groups, and others. Attentive to the limits of advisory activities to federal agencies, we would be interested in learning what additional mechanisms the subcommittee would propose to gather the ideas and needs of the field.

Supporting Research for Legislators and Others

The paper recommends that "OJP assign some staff to do information or research" requests for the Hill. While OJP will always be responsive to Congressional questions and inquiries, the statutory mission of OJP is generally not to provide specific research for Congressional inquiries, unless under a statutory requirement. It is difficult to imagine how NIJ could efficiently support this work, given current staff and funding levels. Further, much of the work would entail particularized expertise of subject matter experts, which may require more specific input from other personnel. It is also important to note that the Congressional Research Service is the primary research support mechanism to Congress.

Focus on Investigator-Initiated Research:

We share the subcommittee's emphasis on the importance of investigator-initiated research. This warrants further discussion to explore what the subcommittee intends. Key to the issue is the level of funding the subcommittee recommends should be invested in I-I research. Is 10 percent of NIJ's discretionary research budget too little? Is 50 percent too much? We would welcome additional suggestions from the subcommittee on this. In addition, we wonder whether the subcommittee would recommend supporting I-I research in targeted program areas, or whether I-I research should be solicited across any and all relevant programs, topics, and issues, at the discretion of the applicant.

"Verbatim" Peer Reviews

In the past, NIJ's peer review panels have been designed to provide grant applicants with a single "consensus" review that is authored by a member of the panel and that incorporates the

different and distinctive evaluative input of each reviewer. NIH's new "standing" scientific review panels are designed to provide applicants with two written reviews authored independently by two lead reviewers who incorporate into their reviews any pertinent evaluative input from other SRP members, including dissenting review comments. (Only in very exceptional circumstances has NIH provided applicants with reviews authored or "put together" by NIH staff.) We would be interested in discussing these different approaches with the subcommittee to get a clearer sense of what it sees as the strengths and deficiencies of these approaches.

Use of Standing Peer Review Panels in BJA and OJJDP

The paper suggests that BJA and OJJDP may want to adopt the SRP model. We're pleased the subcommittee is confident in the value of NIH's SRP model for peer review, but it's not clear to us that a proliferation of SRPs across OJP makes sense. Our motivation for developing the SRPs was linked to the need for a science agency to build "cumulative knowledge" across funding years.

Measuring and Monitoring Research Quality:

In the discussion of research quality, the paper describes/outlines activities that a science agency ought to conduct in terms of measuring and monitoring its science processes. We agree that monitoring the quality of the agency's science processes and products (peer review, ongoing research, reports, publications, and other results from research grants) is essential to safeguard the quality and integrity of the science. The challenge is how this is to be done. Currently, almost all of NIH's monitoring effort is allocated to monitoring financial grant activities, special contractual conditions of the grant (not directly related to the science), conference, meeting, and food service activity, and other monitoring not directly related to science. With NIH's staffing down by 20 percent, it's hard to imagine how these tasks can be completed without additional staff.

Objectivity and Independence

We support the subcommittee's endorsement of the need for objective and independent research. We would be interested in the subcommittee's thoughts on the current guidance from the White House Office of Science and Technology Policy Management and Budget on this issue, since it is the basis for NIH's (and OJP's) practices to safeguard the objectivity and independence of its research work. (See the 2010 memo from Dr. John Holdren, Director of OSTP, at <http://www.whitehouse.gov/sites/default/files/microsites/ostp/scientific-integrity-memo-12172010.pdf> .)